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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

_____)	
In re:)	Chapter 11
)	
MONTEZUMA MEXICAN RESTAURANT INC.,)	Bankr. Case No.: 15-10365 (MG)
)	
Debtor.)	
_____)	

AFFIDAVIT PURSUANT TO LOCAL BANKRUPTCY RULE 1007-2

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Magdalena Dominguez, being duly sworn, deposes and says:

1. I am the president and 5% owner of Montezuma Mexican Restaurant Inc. (the "Debtor") and am responsible for managing the Debtor's operations. As such, except as otherwise described herein, I am familiar with the day-to-day operations, business, and financial affairs of the Debtor, and I submit this affidavit on behalf of the Debtor.

2. Except as otherwise described herein, I have personal knowledge of the facts set forth herein, and if I were to be called to testify, I would recite the facts stated below. I am authorized to submit this affidavit pursuant to Local Bankruptcy Rule 1007-2.

**NATURE OF THE DEBTOR'S BUSINESS AND STATEMENT OF
CIRCUMSTANCES LEADING TO THE DEBTOR'S CHAPTER 11 FILING**

3. The Debtor, a New York corporation, operates a high-quality Mexican restaurant located at 119 West Kingsbridge Rd., Bronx, NY 10468. It pays \$10,607.84 in monthly rent under a lease with 2690 Webb Ave. LLC that expires on June 1, 2025.

4. The Debtor is unable to pay its pre-petition debts, which have increased steadily and now exceed \$1.5 million, as they become due, necessitating this Chapter 11 bankruptcy filing.

PARTICULAR INFORMATION REQUIRED BY LOCAL BANKRUPTCY RULE 1007-2

5. Bankruptcy Rule 1007(d) and Local Bankruptcy Rule 1007-2 require the Debtor to disclose certain information related to this case, which is set forth below.

6. No committee was organized prior to filing of this Chapter 11 case.

7. Set forth on Exhibit A attached hereto and incorporated herein by reference is a list of the names, addresses, and telephone numbers of the creditors holding the 20 largest unsecured claims against the Debtor. This list includes the amount of the claim, the nature of the claim, and, if appropriate, an indication of whether such claim is contingent, unliquidated, disputed, or partially secured.

8. Set forth on Exhibit B attached hereto and incorporated herein by reference is a list of the names, addresses, and telephone numbers of the creditors holding secured claims against the Debtor, the amount of the claims, a brief description and an estimate of the value of the collateral securing the claims (if known), and whether the claims or liens are disputed.

9. Set forth on Exhibit C attached hereto and incorporated herein by reference is the Debtor's most recent balance sheet.

10. Set forth on Exhibit D attached hereto and incorporated herein by reference is the Debtor's most recent federal tax return.

11. None of the Debtor's property is in the possession or custody of any custodian, public officer, mortgagee, pledgee, assignee of rents, or secured creditor or agent for any such entity.

12. The Debtor's primary assets and books and records are located at 119 West Kingsbridge Rd., Bronx, NY 10468. The Debtor does not have any assets outside of the United States.

13. There are no actions or proceedings, pending or threatened, against the Debtor or its property where a judgment against it or a seizure of its property is imminent.

14. Set forth on Exhibit E attached hereto and incorporated herein by reference is my resume', which include my tenure with the Debtor and a summary of my relevant responsibilities and experience.

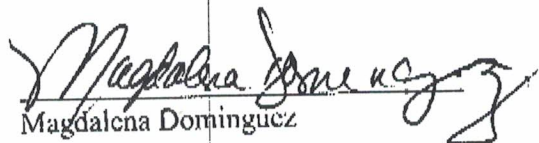
Information Relating to the Debtor's Intention to Continue to Operate its Business

15. The Debtor intends to continue to operate as a debtor-in-possession pursuant to Bankruptcy Code §§ 1107(a) and 1108.

16. The estimated amount of the weekly payroll to employees (exclusive of officers, directors, stockholders, and partners) for the 30-day period following the filing of this case is \$28,000.

17. The estimated amount of the weekly payroll to officers, directors, stockholders, and partners for the 30-day period following the filing of this case is \$6,000.

18. For the 30-day period following the commencement of this Chapter 11 case, the Debtor's estimated cash receipts are \$55,000 and estimated disbursements are \$55,000.


Magdalena Dominguez

Sworn to before me on this
6th day of March, 2015


Notary Public
Commission Expires:

MARIA V. VIDAL
Notary Public, State of New York
No. 01V18240574
Qualified in Bronx County
Commission Expires May 2, 2016

EXHIBIT A

List of 20 Largest Unsecured Creditors

In re Montezuma Mexican Restaurant Inc.
Debtor

Chapter 11 Case No.: 15-10365

SCHEDULE F – CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See U.S.C. § 112 and Fed. R. Bankr. P 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

CREDITOR'S NAME , MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See Instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
American Pad-Ex 325 Moffat Street Brooklyn, NY 11237 Ph: 718-366-7900 Fax: 718-366-7910			Goods				\$340.32
American Society of Composers P.O. Box 331608-7515 Nashville, TN 37203-9998 Ph: 800-505-4052 Fax: 615-691-7795			Performance License				\$12,326.06
Anheuser Busch-Sales 550 Food Center Drive Bronx, NY 10474 Ph: 800-640-4040			Liquor				\$258.09
Auto-Chlor 1405 Commerce Ave. Bronx, NY 10461 Ph: 718-239-8650			Goods and Services				\$944.92
BMF (Barbone & Sons) 48 Elkay Drive Chester, NY 10918 Ph: 845-469-5195 Fax: 845-469-8236			Food				\$2,009.75
Codelia & Socorro, P.C. 778 Castle Hill Avenue Bronx, NY 10473 Ph: 718-931-2575 Fax: 718-931-1121			Legal Services				\$23,634.15

In re Montezuma Mexican Restaurant Inc.
Debtor

Chapter 11 Case No.: 15-10365

SCHEDULE F – CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Eduardo Ureña Produce 95 Broadway, Apt. 15 Freeport, NY 11520 Ph: 718-781-4072			Food				\$1,534.18
Empire Merchants 16 Bridgewater St. Brooklyn, NY 11222-9964 Ph: 718-383-5500 Fax: 718-383-5500			Liquor				\$6,597.60
Hillside Wholesale 3117 Bain Bridge Avenue Bronx, NY 10467 Ph: 718-519-1580 Fax: 718-519-7301			Food				\$90,283.48
Internal Revenue Service Ogden, UT 84201-0012			Income, FUTA, and FICA Tax Penalties				\$3,137.95
Monarch Seafood, Inc. PO Box 6465 – 80 Broadway Jersey City, NJ 07306 Ph: 201-333-1003 Fax: 201-333-0551			Food				\$1,884.98
Orkin Pest Control 2 Westchester Pl Elmsford, NY 10523 Ph: 914-747-7131 Fax: 914-345-9607			Services				\$359.28
NY State Dept. of Finance & Taxation JAF Building P.O. Box 1208 New York, NY 10116-1208			Sales & Use Tax Penalties				\$37,976
New York State Department of Labor Counsel's Office State Office Campus Building 12, Room 509 Albany, NY 12240 Attn: Robyn Henzel, Esq. Ph: 518-457-4955 Fax: 518-485-1819			Stipulation of Settlement Dated on or About September 26, 2014				\$452,569.67

In re Montezuma Mexican Restaurant Inc.
Debtor

Chapter 11 Case No.: 15-10365

SCHEDULE F – CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

New York State Department of Labor Harrison State Office Campus Building 12, Room 185B Albany, NY 12240 Attn: Joshua Bond Ph: 518-457-8452 Fax: 518-485-2778							
Prestige Poly LLC P. O. Box 150637 Brooklyn, NY 11215 Ph: 718-832-9600 Fax: 718-832-3600			Goods				\$363.64
Southern Wine & Spirit P. O. Box 250 East Norwich, New York 11732 Ph: 516-921-9905			Liquor				\$10,056.32
Sysco Metro New York 20 Theodore Conrad Dr. Jersey City, NJ 07305-4614 Ph: 201-433-2000 Fax: 877-230-5480			Food				\$1,033.07
Victory FoodService 515 Truxton St. Bronx, NY 10474 Ph: 718-378-1122 Fax: 718-378-0303			Food				\$4,044.10
Westbury Fish Co. 20 Central Avenue Farmingdale, NY 11735 Ph: 631-396-0237 Fax: 631-396-0237			Food				\$49.50
			Total ► (Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules.)				\$649,403.06

EXHIBIT B

List of Secured Creditors

In re Montezuma Mexican Restaurant Inc.
Debtor

Chapter 11 Case No.: 15-10365

SCHEDULE D – CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See U.S.C. § 112 and Fed. R. Bankr. P 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor." include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns listed "Amounts of Claim Without Deducting Value of Collateral" and "Unsecured Portion, If Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is any individual with primarily consumer debtors, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Date.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Jose Jaquez	X		c/o Maximo Figueredo, Esq. 37-31 76 th Street Jackson Heights, NY 11372 Ph: 718-424-2839 Fax: 972-709-2186 Loan secured by equipment, fixtures, inventory, and contract rights (including lease) May 3, 2013				\$687,123.24	\$632,073.24
			Total ►				\$687,123.24	\$632,073.24

(Report total also on Summary of Schedules)

EXHIBIT C

Balance Sheet

MONTEZUMA MEXICAN RESTAURANT INC.

Balance Sheet

As of December 31, 2014

ASSETS

Current Assets

Checking/Savings

10 General Cash

10-03 Operating Cash 802.00

Total 10 General Cash 802.00

15 - Banks

15-1 Ponce de Leon 9625 8,438.57

15-2 Ponce de Leon 6703 513.19

Total 15 - Banks 8,951.76

Total Checking/Savings 9,753.76

Other Current Assets

20 Credits Cards

20-3 Bank of America (Merchant) 6,973.45

Total 20 Credits Cards 6,973.45

25 - Accounts Receivable Others

25-1 - Marcelino Dominguez 16,424.63

25-2 - Yamilka Cruz 3,000.00

Total 25 - Accounts Receivable Others 19,424.63

30 - Food and Liquor Inventory 27,852.60

Total Other Current Assets 54,250.68

Total Current Assets 64,004.44

Fixed Assets

40 - Furniture and Equipment 177,224.00

41 - Depreciation Accumulated -172,155.00

Total Fixed Assets 5,069.00

Other Assets

50 - Goodwill 191,441.00

Total Other Assets 191,441.00

TOTAL ASSETS 260,514.44

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Other Current Liabilities

100 Accounts Payable Suppliers

MONTEZUMA MEXICAN RESTAURANT INC.

Balance Sheet

As of December 31, 2014

100-15 Others Vendors	24,287.88
Total 100 Accounts Payable Suppliers	24,287.88
 120 - Payroll Liabilities	
120-01 Taxes	814.82
Total 120 - Payroll Liabilities	814.82
 130 - Tax Sales Collected	9,403.00
150 Others Accounts Payable	
150-01 Jose Jaquez	687,123.24
150-03 Codelia & Socorro, P.C.	18,506.65
150-04 NYS Department of Taxati	221,884.44
150-05 NYS Department of Labor	453,569.66
150-06 Hillside Wholesale	82,509.10
150-07 Internal Revenue Service	40,000.00
Total 150 Others Accounts Payable	1,503,593.09
 Total Other Current Liabilities	1,538,098.79
 Total Current Liabilities	1,538,098.79
 Total Liabilities	1,538,098.79
 Equity	
200 - Capital Stock	200.00
250 - Retained Earnings	-501,188.19
Net Income	-776,596.16
Total Equity	-1,277,584.35
 TOTAL LIABILITIES & EQUITY	260,514.44